IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 6605 of 2005

Between:

B. Mondaiah, S/o Mallaiah,
Godavarikhani, Karimnagar District.

..... PETITIONER

AND

The Dy. Commissioner of Prohibition & Excise, Warangal Division, Warangal.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate Writ or order or direction more particularly one in the nature of Writ of Certiorari declaring the order in O.A.No. 895/2005 dated 3-3-2005 on the file of Andhra Pradesh Administrative Tribunal, Hyderabad, as illegal, arbitrary and against principles of natural justice and also the proceedings No. CR.No. 2712/2003 P & Ex/A3-2, dated 11-7-2003 passed by the respondent as illegal, arbitrary and against principles of nature of justice.

Counsel for the Petitioner:MR.P.GIRI KRISHNA

Counsel for the Respondent No.: GP FOR PROHIBITION & EXCISE

The Court made the following :

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ORDER: **(Per the Hon'ble Sri Justice P.S.Narayana)**

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This writ petition has been filed by the petitioner assailing the order dated 3-3-2005 in O.A.No. 895 of 2005 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad.

2. The petitioner challenged the order of suspension dated 11-7-2003 before the Tribunal. The Tribunal, however, disposed of the O.A. with a direction to the Government to review the order of suspension in accordance with G.O.Ms.No.86, GAD, dated 8-3-1994 within four weeks from the date of receipt of a copy of the order. Aggrieved by the order of the Tribunal, this Writ Petition has been filed.

3. The learned counsel for the petitioner submits that the suspension is unwarranted, under the circumstances of the case.

4. We are afraid that we cannot accept the contention of the learned counsel for the petitioner. The Tribunal has directed the Government to review the suspension order by fixing four weeks time. Under those circumstances, we do not find any ground to interfere with the order of the Tribunal.

5. Accordingly, the Writ Petition is dismissed. No order as to costs.

G.Bikshapathy, J.

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P.S.Narayana, J.

29th March, 2005.

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1)The Dy. Commissioner of Prohibition & Excise, Warangal

Division, Warangal.

2) 2 CCs to G.P. for Prohibition and Excise, High Court Buildings,

Hyderabad. (OUT)

3) 2 CDs

4) 1 CC to MR.GIRI KRISHNA

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THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

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WRIT PETITION NO : 6605 of 2005

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29th March, 2005.